

whether its internal trade, required that internal improvements should be made.

Now, at that time the Government of the United States owed a debt of one hundred million dollars. In addition to paying the interest on that debt it had made a great appropriation for the purpose of liquidating the principal. By the funding act, which was then passed, ten millions of dollars were set aside annually for the purpose of paying the interest on the debt of the United States. Now, while that debt was in the expenditure of being paid—while the Government of the United States was discharging ten millions of the public debt annually—it was at that time, and during that process, that these appropriations were made; and made, as I have already said, with reference to the fact that should remain in the Treasury by law. Now, I well remember that while this process was going forward, it was the prevailing opinion in this House that, whenever the public debt of the country should be paid, the sinking fund of ten million dollars, which would then be discharged, would necessarily be appropriated to some other object. It was supposed that the great interests of the country—that its industry would not be at so great a charge as that this ten million dollars annually raised for that purpose should at once be closed up. It is true, the friends of internal improvement looked forward to the fact that a valuable should be discharged as the debt was paid, and that the revenue of the Treasury would remain the same, and it was supposed that this ten millions of dollars would be spent in increasing the civil and military and naval expenditures of the country, and in making appropriations for internal improvements. That it would be spent somewhere was very evident; and it was a question among the friends of internal improvements whether, when that debt was paid, the sinking fund should be paid out to the people of this country for the labor and materials necessary for these great works, or whether there should be in the place of it an enormous increase in the ordinary expenditures of the Government.

Now, it so happened that just at the moment when this national debt was paid off, the Executive of the United States thought proper—at the very instant when the nation had greater ability than it had ever had before—the Executive of the United States thought proper to lay his hands upon the sinking fund appropriation. And, sir, it is to be remembered, when that veto, which is alluded to in the present message of the President of the United States, was sent to the House—it was at a time when this Government was in the receipt of a large surplus revenue. The result of omitting to make any disposition of this sinking fund, was, that it was largely to be expended in the purchase of land, and the Government itself. That was the first result. The next consequence was, that in the course of two or three years an accumulation of about forty millions of surplus was found to be in the Treasury of the United States, locked up. Forty millions of dollars, which were not wanted for any other purpose, except in the case of a speculation of financial disaster, which, finally terminated in a convulsion which shook not merely the Government of this country, but all its industrial interests to their very centre. Now, suppose, instead of the accumulation of this forty millions of dollars in the Treasury of the United States—which was loaned out liberally all over the country, going to the aid of the country, and, sir, it is to be remembered, that ten millions of dollars had been annually appropriated to the improvement of your rivers and harbors; that it had been paid out over this country to the "tolling millions," (to use the language of the President,) for their labor and the materials that would have been necessary for these great public works, would have been necessary for these great public works, would have been necessary for these great public works. It would have relieved your Treasury from this penalty; it would not, as has been argued by the President of the United States—it would not have involved this country in a debt; it would have saved the country from the convulsion that followed. Sir, that would have been the effect of permitting that system, which was then in vogue, to have taken the expenditure of this money, and that, instead of these moneys being appropriated in that mode, spreading their benefits over the country, enlarging the commerce of the country, building up your defences—instead of that, we all know where it went to, and what was the consequence.

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lated so much purpose the same result was involved? At that time the debt of the United States had not been paid, and, in addition to \$10,000,000 that was set apart as a sinking fund, the law providing for the payment of the public debt also provided that all balances should go towards extinguishing the public debt. If, then, the money was taken from the sinking fund, was it not the same as if they had passed a loan bill to have met those appropriations?

It was very clear to him (Mr. B.) that in effect such a course, if pursued, would have been antagonistic to that which the gentleman from Ohio represented to have been intended. And so far from the great interests of the country being on the mark in this particular, if, as the gentleman said the President had set down the amount of the debt which would have been contracted at \$200,000,000, in his (Mr. B.'s) opinion the President had greatly underrated it. What had been the experience of the country? Look at the condition of the States. Many of them were in a state of bankruptcy, and were driven to the alternative of liquidation. This too occurred, notwithstanding the great responsibility of the representative to the constituency he represented, growing out of the smallness of the constituency. And in the second place there was better local information, so that whenever an amendment was made, it was made by a man who was a member, with even a little geographical information, who was not able to judge of the necessity and the propriety of the appropriation. But how would it be if power were granted to the General Government? It would be to give to the General Government the power to make appropriations, and to give to the General Government the power to make appropriations, and to give to the General Government the power to make appropriations.

But, more than all, there was a restraint upon the State Legislatures which did not exist in the General Government—that in the States the representative who voted for expenditures had to vote in the money, and to know with what a representative in any of the States would return to a constituency on whom he had voted to lay taxation in that form. However they might be deluded by arguments to believe that taxation is a blessing, when it led to direct taxation the argument would fail to carry conviction home, for then the appeal would be made to the people, and they would not be so easily deluded. Here was the great trial test, which was to be benefited by taxation, and which would vote expenditures without respect to the application of the money. There were also local interests combined with the tariff interest, and all representatives from the portions of the country that were to be benefited by the application of the money, were to be benefited by the application of the money.

He said when he rose that he did not intend to go into an elaborate discussion, but simply to reply to the remarks of the gentleman from Ohio (Mr. Vinton) on one point; and that point was, that the Congress at that time; suppose there was no disposition to expend more money than the available balance in the Treasury, did the gentleman believe that after they had once commenced the system, there would have been power to resist it? No; they would have contracted a debt, but they would have avoided the liquidation of that debt, and they would have avoided the liquidation of that debt, and they would have avoided the liquidation of that debt.

Mr. STEWART, of Pennsylvania, said it was not likely that the House would discuss of this subject to-day. He then moved that the House adjourn.

Mr. STEWART suggested to the gentleman from Illinois to withdraw his proposition to refer to the Committee on Commerce, and substitute a motion for a special committee. He thought the subject was of sufficient importance to justify the creation of a special committee, and to entitle it to such a consideration as it deserved. He then moved that the House do pass a resolution to the effect of the committee of this House on the subject of internal improvements, and to the effect of the committee of this House on the subject of internal improvements, and to the effect of the committee of this House on the subject of internal improvements.

Had not this power been exercised from the foundation of the Government to the present hour, and where was the debt or the danger? Gentlemen might as well tell him that there was danger in making appropriations to build fortifications, or in making appropriations to build fortifications, or in making appropriations to build fortifications, or in making appropriations to build fortifications.

He would ask the gentleman from South Carolina, (Mr. Butler), who denied the possession of this power, where he got the power to make land and fortifications, and to make land and fortifications, and to make land and fortifications.

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doubted than the great power of national defence and national improvement, and it was the last power that he would consent to surrender. But the President said in this message that the States, and not the Federal Government, would provide for these improvements, and that the Federal Government would have the power to regulate internal commerce, transport the mail, and defend the country in time of war, be dependent on the States for the means of executing their great powers? The constitution never contemplated such an absurdity.

Suppose a road would be more "necessary and proper" to the defence of the country than a fort, would the Government have the power then to make a road? Most unquestionably, for Congress was the judge of the fitness of the means without limitation. The Government could exercise that power even to the construction of a railroad to Oregon, or from north to south. A good system of railroads, in his judgment, was more than could be made available for the defence of the country, and a system of fortifications that could be devised, and useful alike in peace or war.

If we had our present railroads from the North to the place during the last war, this Capitol and the President's House would never have been sacked and burnt by a foreign enemy. If, as now, we could have transported forces from the North to Philadelphia and Baltimore, this disgrace would never have occurred.

His view of the power of Congress over this whole subject was this: each of the express powers carries with it its own appropriate means of execution; without this, this Government could never have been put in motion. Congress was expressly invested with the essential power of making laws, the means necessary for carrying into full effect the great substantive power conferred upon it. The constitutional provision, then, which gives to Congress power to regulate commerce, then, which gives to Congress power to regulate commerce, then, which gives to Congress power to regulate commerce.

He well remembered the fact which had been alluded to by the gentleman from Ohio. The board of internal improvement, under the act of 1824, was organized by Mr. Calhoun, then Secretary of War. This board was employed several years in making a national map, with estimates amounting to the President of the United States, and the President of the United States, and the President of the United States.

He would again say that he hoped the motion of the gentleman from Illinois would be withdrawn, that this matter might go to a select committee, to report on the question whether the power over internal improvements, comprehending our rivers and our harbors, on the lakes and on the seaboard, were alike to be stricken down by the Executive arm; whether these great and salutary powers, exercised from the foundation of the Government, by every Congress and every President, were now to be blotted out forever by the Presidential veto.

Mr. SCHECK said: The paper which has just been presented from the President is of a character so anomalous, that it is not to be wondered at, Mr. Speaker, that we should have some doubt and discussion as to the most appropriate disposition to be made of it. It is not a communication contemplated to be made by the Executive to Congress under any provision or clause in the constitution. His objections to a river and harbor bill passed by the last Congress are made the pretext for sending his views here now to us in this shape—to us, a different Congress, who can give no legislation having reference to that bill.

One gentleman, among the friends of the Executive, (Mr. Thompson, of Mississippi,) understood at once that the President was endeavoring to force his views upon the House, and yet is not hard to understand the intention and the object of this "message." It is a "speech from the throne," literally a speech from the throne, and nothing more or less. It is the Executive's argument against internal improvements, elaborately prepared, and then conveniently received upon the floor of the House, and then received upon the floor of the House, and then received upon the floor of the House.

Considering this, then, as no more than the Executive's speech, volunteered in the course of this debate, I am not entirely prepared to say that we should raise a select committee to consider and report upon it. My colleague (Mr. Vinton) makes the proposition; and the gentleman from Pennsylvania (Mr. Brewster) responds to it. It is not a communication contemplated to be made by the Executive to Congress under any provision or clause in the constitution. His objections to a river and harbor bill passed by the last Congress are made the pretext for sending his views here now to us in this shape—to us, a different Congress, who can give no legislation having reference to that bill.

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which, as far as I know, is entirely new. We have had various tests proposed from time to time, on the part of those opposed to internal improvements, for determining whether appropriations from the National Treasury and their application to such objects as harbors, rivers, or canals, were or were not. There is the *chemical* test referred to to-day, making all to depend upon the fact whether the waters to be improved are salt or fresh. Then, connected with that, is what I would call the *ichthyological* test, whether the fish which frequent the harbors or rivers, where you would expend your money, are from the sea or found only in fresh waters. There is a *meteorological* test, whether the winds to be found by watching the course of the tides and the distance to which they ascend; and Gen. Jackson, less correct in his views of the constitution than "Young Hickory," was willing to expend money freely for these purposes, so only that it should all be below a part of entry. That was a *legislative* test, and a very convenient one too, inasmuch as Congress has power by law to establish a port of entry anywhere, will, even though it should be at the source of the smallest creek, or on the top ridge of the Allegheny mountains! We have also the *geographical* test, which determines the constitutionality of a work upon the question whether it lies within a State, or is cut by the dividing line of two or more. And I have heard many more of these sorts of constitutional tests, but I do not think it necessary to multiply them. The President has now hit on one that is surely a novelty. If a patent is to be taken out for the discovery, I trust that no one will interfere with his claim. In that part of his message which seems to treat of the definition of the terms "river" and "harbor," and, as far as I could hear and understand, a sort of lecture is delivered on the subject of geography, and he has taken the bold ground for you cannot help nature at all, he can make no improvements in aid of navigation, he comes to the conclusion that the constitutional difficulty is here: a harbor or inlet may be the source of a river, and instead of a harbor or inlet may be the source of a river, and instead of a harbor or inlet may be the source of a river.

Hereafter, then, the constitution is to be measured only by line and lead. [A laugh.] A vessel with a deep keel must take care lest it run against one of these constitutional shoals. It is a very curious and novel test, and I think it is a very curious and novel test, and I think it is a very curious and novel test.

Mr. Speaker, I repeat, this is a rare and new test or discovery as to constitutional appropriations; and perhaps there may be in this, if in nothing else, an argument for sending the matter to a select committee, to report on the question whether the power over internal improvements, comprehending our rivers and our harbors, on the lakes and on the seaboard, were alike to be stricken down by the Executive arm; whether these great and salutary powers, exercised from the foundation of the Government, by every Congress and every President, were now to be blotted out forever by the Presidential veto.

I might say something here, Mr. Speaker, on what some may consider a slight inconsistency in the views of the Executive, who finds such formidable, such insuperable objections to expending a single dollar for works of improvement at home, and for the development of the great resources of our country, and yet is not hard to understand the intention and the object of this "message." It is a "speech from the throne," literally a speech from the throne, and nothing more or less. It is the Executive's argument against internal improvements, elaborately prepared, and then conveniently received upon the floor of the House, and then received upon the floor of the House, and then received upon the floor of the House.

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instances the course of the several States, and says that they borrowed money, expended it in improvements, and became overwhelmed in debt, and in some cases were brought to ruin. The President, pausing, here remarks, as I do most proudly, that that charge is never said to have been made. Although Ohio has been among the foremost in great works of internal improvement, and has contracted debt for that purpose, she has paid the interest always on her bonds with entire punctuality and untarnished honor, and provides also a sinking fund to discharge, as it shall be due, the principal; and her people are ready to submit to any burden of taxation which may be necessary to keep up her fair fame. But the gentleman from Virginia says that because the States so involved themselves, the General Government must have done the same; and by that proposition he would sustain the President's assertion. That is, if the United States had borrowed money and gone in debt, why then they would have been in debt.

But the gentleman from South Carolina (Mr. Butler) is alarmed at the suggestion that a committee of this House—or a home department, if one should be established—might engage in the collection of statistics with a view to these internal improvements. And what if that should be done? It is a very curious and novel test, and I think it is a very curious and novel test, and I think it is a very curious and novel test.

The power, he maintained, was insupportable. Now, how were these remarks applicable to the subject before them? They were designed to show that when a power was given, the means to exercise that power were necessarily incidental to it. Here in this case, the power was given, and it was said that Congress should have power to declare war, but it was said that Congress should have power to declare war, but it was said that Congress should have power to declare war.

Mr. PETTIT said that he wished to detain the House only for a short time. To reason was the province of man. He would not detain the House longer than he could help. He would not detain the House longer than he could help. He would not detain the House longer than he could help.

But if this power to remove impediments exist at all, when it is removed, it is a question of time, it is a question of time, it is a question of time, it is a question of time.

Why might not they determine this question for themselves? In case of a war with Great Britain, should we not be able to remove the impediments to our commerce, or to our commerce, or to our commerce, or to our commerce.

At this point Mr. PETTIT's remarks, and before he had concluded them, he was interrupted by a message from the Senate formally announcing the death of the Hon. JAMES P. KENT, late a Senator from the State of Mississippi, who died at his residence during the recess of Congress.

He did not understand the President of the United States to admit that any clause of the constitution gave them this power. The President took the ground in utter defiance of such power, and denied its existence at all. He sent in his veto on the bill, and he sent in his veto on the bill, and he sent in his veto on the bill.

He did not agree with gentlemen who had taken part in this debate, who had asserted the right, under the clause conferring power to regulate commerce, to make artificial channels of communication. They had the power to regulate commerce, and they had the power to regulate commerce, and they had the power to regulate commerce.

But, further, by what authority was the palace or chateau erected in which the President lives? By what power was the spacious temple in which they were now assembled built? There was no specific grant of power for either. But it was an incident to the power to establish a Government. But it was an incident to the power to establish a Government.

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